IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 11TH APRIL 2007 / 21ST CHAITHRA 1929

WP(C).No. 12119 of 2007(P)

PETITIONERS:
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1. **THE KOLLAM DISTRICT CO-OP.BANK EMPLOYEES UNION, REPRESENTED BY ITS GENERAL SECRETARY, D.SUJATHAN, REG.NO.66/1962, DIST.CO-OP. BANK BUILDINGS, KOLLAM, PIN- 691 001.**

2. **KOCHUKUTTAN PILLAI.R., SOWPARNIKA, ARACKAL, EDAYAM P.O., KOTTARAKKARA.**

BY ADV. SRI.GEORGE POONTHOTTAM.

RESPONDENTS:
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1. **THE PART TIME ADMINISTRATOR, KOLLAM DISTRICT CO-OPERATIVE BANK, KOLLAM, (THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES(G) KOLLAM).**

2. **KOLLAM DISTRICT CO-OPERATIVE BANK LTD, KOLLAM, REPRESENTED BY THE GENERAL MANAGER.**

3. **THE DISTRICT CO-OPERATIVE BANK EMPLOYEES FEDERATION, KERALA(KOLLAM UNIT), DIST CO-OP.BANK BUILDINGS, KOLLAM.**

BY ADV. SRI.P.N.MOHANAN,
GOVT. PLEADER SRI. P.N. SANTHOSH.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/04/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.12119 of 2007

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Dated this the 11th day of April, 2007.

JUDGMENT

The allegation by first petitioner which is one of the Unions is that the first respondent made indiscreet transfers of large number of employees of the second respondent-Bank. While the case of the petitioners is that transfers are only to help members of third respondent-Union, counsel appearing for the first respondent submitted that transfers are made as a routine measure. However, going by the period of service of many of the persons transferred in the stations wherefrom they are transferred, I find no specific norm is followed for the transfers. General transfer should be made only based on norms i.e. with reference to period of service in a particular station. If tenure in a station say two or three years is the criteria, then there will be justification to transfer those who have completed the tenure, of course after retaining those who are retiring shortly. Mutual transfers or request transfers also can be considered depending on the ground for seeking the transfer. Since transfers made are admittedly without following any norms, first respondent is directed to first formulate the norms after discussing with the Union representatives and then make transfers afresh.

The case of those who are already transferred and joined also should be reconsidered and correction should be made within three weeks from today. Status quo as on today will be maintained until fresh orders are issued. Those who accept transfers and those who have grievance are free to represent the matter before the first respondent.

C.N.RAMACHANDRAN NAIR
Judge

pms